THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 2405 of 1998

DATE: 23-02-2007

Between :

V.Ramoteswar

… Petitioner

And

The Conservator of Forests,
Adilabad Circle,
Adilabad District and 2 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 2405 of 1998

ORDER:

This writ petition is filed questioning the order dated 17-11-1997 passed by the first respondent-Surveyor of Forest Adilabad, whereunder the appeal preferred by the petitioner was dismissed thereby confirming the order of the second respondent dated 12-12-1996 imposing penalty of Rs.1,18,098/- while compounding a forest offence.

Though various grounds have been raised on merits, it is primarily contended by the petitioner that the impugned order, under which the petitioner's appeal was dismissed in *limini* without assigning any reasons, is unsustainable.

The impugned order, dated 17-11-1997, shows that except referring to the facts, the first respondent failed to consider any of the contentions raised by the petitioner and confirmed the order under challenge without assigning any reasons there for.

The law is well settled that the absence of reasons is one of the grounds for judicial review since the failure of the Quasi-Judicial Authority to assign reasons would result in violation of the principles of natural justice.

Accordingly, without expressing any opinion on merits, the impugned order dated 17-11-1997 is hereby set aside and the writ petition is disposed of with a direction to the first respondent to consider the appeal afresh and pass appropriate orders following due process of law. No costs.

G. ROHINI, J.

Dt. 23-02-2007
KLP